

REMARKS

In response to the above-identified Office Action, the Applicants submit the below remarks and respectfully request reconsideration of the application in light of these remarks.

The Examiner rejected claims 1-19 and 22-23 under 35 U.S.C. 102 (e) as being anticipated by U.S. Patent 6,167,378 (hereinafter Webber). The Examiner rejected claims 20 and 21 under 35 U.S.C. 103 (a) as being unpatentable by Webber in view of U.S. Patent 6,401,085 (hereinafter Gershman). The Applicants respectfully traverse these rejections for the reasons set out below.

Applicants contend that references alone or in combination do not teach or suggest all limitations of claim 1, or the other independent claims of the present application. The Applicants' arguments shall be presented with respect to claim 1. However, these comments are applicable to the other independent claims of the present application, and the Examiner is respectfully requested to consider these comments and remarks when reviewing the other independent claims for allowability.

Webber does not teach or suggest initiating a request for the enhanced content programming, said request initiated by the user receiver and directed at the content provider via the network; directing the enhanced content programming responsive to said request at the user receiver via the network, said directing step performed by the content provider; detecting triggers embedded in the enhanced content programming, said detecting step performed by a third party; intercepting the enhanced content programming, said intercepting step performed by said third party; determining if the enhanced content programming complies with a set of third party parameters. Webber discloses an automated back office transactions system, which manages complex sales of goods transactions involving several parties, such as sellers, buyers, shippers, marketers, suppliers, manufacturers, etc. Webber's system does not control enhanced content programming. In fact, Webber system controls only transactions involving tangible

goods. Thus, buyers in Webber request tangible goods and not enhanced content programming.

Moreover, Webber discloses that particular processes of the system are initiated based on event triggers, wherein event triggers constitute seller's transmission of its digital POS data, receipt of buyer's purchase order, delivery of goods by common carriers to the requester etc (Column 7, lines 1-47). These event triggers are not embedded in any signal, specifically, they are not embedded in the enhanced content programming.

In addition, in Webber parties to the transaction communicate via Communication and Activity (CAP) platform by submitting data such as Point of Sale, Purchase Orders directly to CAP. CAP is not intercepting any communications between parties, the parties transmit their data to CAP themselves (Column 7, lines 1-40). Thus, Webber also does not disclose or suggest intercepting the enhanced content programming.

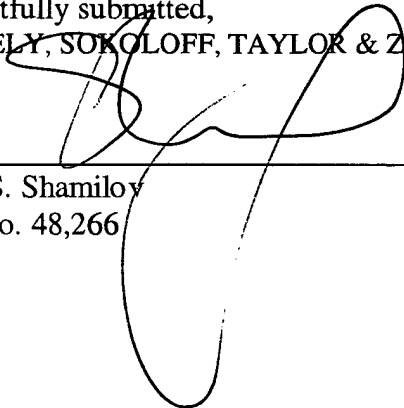
The Applicants submit that the rejection under 35 U.S.C. § 102 (e) and 103 (a) has been addressed, and withdrawal of this rejection is respectfully requested. The Applicants furthermore submit that all pending claims are in condition for allowance, which is earnestly solicited.

Authorization is hereby given to charge our Deposit Account No. 02-2666 for any charges that may be due. Furthermore, if an extension is required, then Applicants hereby request such an extension.

Respectfully submitted,
BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

Dated: January 27, 2003

12400 Wilshire Boulevard
Seventh Floor
Los Angeles, CA 90025-1026
(408) 720 - 8300



Saina S. Shamilo
Reg. No. 48,266